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July 2, 2024

Via Email and CM/ECF

Ms. Angela Mo, Esq.
US Department of Justice
ENRD
Angela.Mo@usdoj.gov

Re: DOJ July 1 Update Pursuant to SNAP Order in *United States and State of Mississippi v. City of Jackson, MS*, Case No. 3:12-cv-790-HTW-LGI (Clean Water Act Case) and *United States v. City of Jackson, MS*, Case No. 3:22-cv-00686-HTW-LGI (Safe Drinking Water Act Case)

Dear Ms. Mo:

I am responding, on behalf of Ted Henifin, in his capacity as the Interim Third-Party Manager of the Jackson water/sewer system, to the Department's July 1, 2024, update regarding the referenced subject.

I am confused.

On one hand, the federal government seeks to assure Mr. Henifin and Judge Wingate that it is making best efforts to comply with the Court's April 16, 2024 SNAP Order by looking for the SNAP list - which we all agree the federal government does not have. Why would the federal government look for something we all agree it does not have?

Moreover, the federal government has noticed an appeal of the SNAP Order and has, on information and belief, forbidden the State to provide Mr. Henifin with the list. We understand that the federal government is so determined not to comply with the Order that it has threatened to punitively withhold federal nutrition assistance benefits to all Mississippi recipients if the State complies with the Order and provides Mr. Henifin with the Jackson-area list.

The federal government disagrees with Judge Wingate's determination that JXN Water's SNAP rate schedule is a "federal assistance program." Thus, according to the federal government, Mr. Henifin cannot be given the list. So, why does the Department make so much about looking for the list? After all, it is the Department's position that if it magically found the list, it would not share it with Mr. Henifin.

I remain confused.

Angela Mo, Esq.

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Rather than pretending to comply with Judge Wingate's SNAP Order – while actively working to undermine it by threatening the State's compliance and noticing an appeal - the Department of Justice and its client agencies should be working with the State to provide Mr. Henifin with the list just as they would any other "federal assistance program" such as a new school.

The Department's silence about any effort to work with the State (who we all agree has the list) to comply with the Order is deafening to the approximately 12,500 poor, likely exclusively minority, Jacksonians who would otherwise save \$30 per month on their water/sewer bill.

Sincerely,



F. Paul Calamita

and

/s/ Charles Mitchell McGuffey

Charles Mitchell McGuffey

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Counsel for the ITPM

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CM/ECF Service List